

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS

In re:

WESTBOROUGH SPE LLC

Debtor

Chapter 7, No. 23-40709

**MOTION TO WITHDRAW CHAPTER 7 TRUSTEE'S MOTION TO
COMPEL THE CALIFORNIA STATE CONTROLLER TO
SURRENDER TO THE TRUSTEE PROPERTY OF THE ESTATE**

Now comes JONATHAN R. GOLDSMITH, the duly appointed, qualified and acting Trustee in the above-captioned case ("Trustee"), and he does hereby withdraw his Motion to Compel the California State Controller to Surrender to the Trustee Property of the Estate (Docket #78) ("Motion") and requests that the Court cancel the hearing thereon presently scheduled for **February 13, 2024 at 10:30 a.m.** In support thereof, the Trustee represents that subsequent to the filing of the Motion the Controller for the State of California turned over to the Trustee the unclaimed funds as noted in the Motion.

WHEREFORE, the Trustee respectfully requests that this Court:

1. Allow the Trustee to withdraw his Motion;
2. Cancel the hearing on the Motion presently scheduled for February 13, 2024, at 10:30 a.m.;
and
3. For such other relief as is just and proper.

JONATHAN R. GOLDSMITH, TRUSTEE IN
BANKRUPTCY FOR WESTBOROUGH SPE LLC

Dated: 2/12/24

By: /s/ Jonathan R. Goldsmith, Esq.
JONATHAN R. GOLDSMITH, ESQ.
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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
In re:)	Chapter 7, No. 23-40709
)	
WESTBOROUGH SPE LLC)	
)	
Debtor)	
_____)	

CERTIFICATE OF SERVICE

I, JONATHAN R. GOLDSMITH, ESQ., of GOLDSMITH, KATZ & ARGENIO, P.C., 1350 Main Street, Suite 1505, Springfield, Massachusetts, do hereby certify that I have served a copy of the within Withdrawal upon those parties listed on the attached Exhibit "A" by electronic mail or by mailing, first class mail, postage prepaid, on this 12th day of February, 2024.

/s/ Jonathan R. Goldsmith, Esq.
JONATHAN R. GOLDSMITH, ESQ.

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